

17/10/04 (2)
003

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 1695 OF 2004

PETITIONER:

Shivmudra University, Raipur,
A Private University established,
incorporated and notified under
Chhattisgarh Nizi Kshetra Vishwa
Vidyalaya (Sthapana Aur Viniyaman)
Adhiniyam, 2002, Through: Its
Founder Chairman Mr. Dnyanesh L.
Wakudkar, S/o Shri Laxmanrao
Wakudkar, Aged about 42 years, R/o
Opp. Krushi Mahavidyalaya, Raipur-
Sambalpur Road, Jora, Raipur (C.G.).

P. R. No.
Presented by Shri. S. B. ...
dated 23.6.04

- Versus -

RESPONDENTS:

1. State of Chhattisgarh,
Through: Secretary,
Department of Higher Education,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.).
2. Regulatory Commission, Constituted
under the Chhattisgarh Nizi Kshetra
Vishwa Vidyalaya (Sthapana Aur
Viniyaman) Adhiniyam, 2002 (No.2 of
2002), C/o Secretary, Department of
Higher Education, Mantralaya, D.K.S.
Bhawan, Raipur (C.G.).
3. University Grants Commission,
Through: Its Chairman, Bahadur Shah
Zafar Marg, New Delhi.
4. All India Council of Technical
Education, Indira Gandhi Sports
Complex, I.P. Estate, New Delhi-
110002.
5. Medical Council of India, Through: Its
Secretary, Aiwan-E-Galib Marg, Opp.
Mata Sundari College for Women,
New Delhi - 110 002.



Received
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TO H.G.
Sachin
23/6/2004

6. Pharmacy Council of India, Combined Councils Building, Kotla Road, Aiwan-Galib Marg, P.O. Box No.7020, New Delhi - 110 002.
7. National Council of Teachers Education, Indira Gandhi Indoor Stadium, I.P. Estate, New Delhi-110002.
8. Nursing Council of India, Kotla Road, Temple Lane, New Delhi-110002.
9. Bar Council of India, 21, Institutional Area, Rouse Avenue, New Delhi-110002.
10. Distance Education Council, Through: Its Director, DEC Building, IGNOU Campus, Maidan Garhi, New Delhi-110068.



WRIT PETITION UNDER ARTICLES 226 / 227 OF THE
CONSTITUTION OF INDIA

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>D.B: HON'BLE SHRI JUSTICE A.K.PATNAIK, C.J & HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.</u> <u>23.09.2005</u> None appears for the petitioner(s). Mr. Ravindra Agrawal, P.L. has appeared for the State of Chhattisgarh. Mr. Agrawal states that in this writ petition the petitioner had challenged the provisions of Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana Aur Viniyaman) Sansodhan Adhiniyam, 2004 by which the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana Aur Viniyaman) Adhiniyam, 2002 was amended. By a judgment of Supreme Court in the case of <u>Prof. Yashpal and others v. State of Chhattisgarh and another</u> reported in 2005 (5) SCC 420, the provisions of the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana) Aur Viniyaman) Adhiniyam, 2002 have been declared to be ultra vires of the Constitution and therefore this writ petition has become infructuous. After considering the submission made by Mr. Ravindra Agrawal, we find that this writ petition has become infructuous and we accordingly dispose of the same.	
	Sd/- Chief Justice Judge	Sd/- Dilip Raosaheb Deshmukh Judge

(पीछे देखिये)

Anjani

4/10/2005